Committee on Resources

Testimony

Subcommittee on Water and Power
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TESTIMONY OF LESTER A. SNOW
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CALFED BAY-DELTA PROGRAM
BEFORE THE SUBCOMMITTEE ON WATER AND POWER
OF THE U.S. HOUSE OF REPRESENTATIVES
COMMITTEE ON RESOURCES
HEARING ON THE CALFED BAY-DELTA PROGRAM
APRIL 17, 1997

Mr. Chairman, members of the Subcommittee on Water and Power Resources, I am Lester A. Snow, Executive Director of the CALFED Bay-Delta Program. I appreciate the opportunity to appear before you today to provide a status report on the Bay-Delta Program and to answer any questions you might have.

Background

Before I describe our Program, I would like to provide some context for you. The San Francisco Bay and Delta System is the largest estuary on the West Coast, supporting fisheries, wildlife and agriculture, while providing more than 20 million people with their water supply. It has been referred to as the crossroads of the State's economy and thriving ecosystem, yet it has fallen victim to competing interests, unplanned growth, and a declining ecosystem. It continues to deteriorate to the point where people are concerned that the very jobs and economic competitiveness of the State are at stake unless we can move forward and fix the problems in the system.

The San Francisco Bay-Delta system has been used and abused for over 150 years. It has been the source of fresh water for agriculture and cities since this region was developed. It has also been the area where we have dumped mine tailings and toxic waste, and eliminated habitat over a long period of time. We know there is no quick fix, that we can go out and implement one thing and all of a sudden the system is healthy again. We recognize it has taken a long time to get to this point; our current situation is the culmination of a multitude of impacts. We know we must devise a strategy that addresses all of those impacts, and moves us forward in a logical, productive fashion. The CALFED Bay-Delta Program is a collaborative effort to address these issues.

The CALFED Bay-Delta Program has been charged by the Governor of California and the Secretary of the Interior to develop a comprehensive plan to resolve environmental and water management problems associated with the Bay-Delta system. Our Program has the task of instituting, through an open process that includes participation by the stakeholder community, a long-term settlement that everyone can live with. At this time I am pleased to report that tremendous progress has been made and I am optimistic that it will continue.

The CALFED Bay-Delta Program was established as a result of the Framework Agreement entered into between the State and Federal governments in mid-1994. That agreement set forth three areas in which it was agreed additional coordination and cooperation would be pursued to alleviate uncertainty and conflict within California's water management regime and the various overlapping jurisdictional disputes between Sacramento and Washington, D.C. Specifically, the Framework Agreement set forth a process to facilitate the following: formulation of state water quality standards pursuant to the Clean Water Act which could be certified by the Federal and State governments; and, improved operational coordination of the State Water Project and the federal Central Valley Project to more effectively and efficiently manage the state's water supplies to meet all beneficial uses, and a long-term planning process to comprehensively "fix" the Bay-Delta system.

The Bay-Delta Program

That long-term planning process is the CALFED Bay-Delta Program. We began our effort in the spring of 1995. In the two years since we started, we have made remarkable progress and enjoyed a period of great cooperation among all parties concerned with Bay-Delta issues. Considering the complexity and controversial nature of the issues involved, this is an important achievement and one that will serve California and the nation long into the future.

The Program is divided into three phases. During Phase I, from June 1995 to September 1996, the Program developed a mission statement, identified problems, developed objectives and several guiding principles (the "Solution Principles"), and designed three alternative solutions to Bay-Delta related problems. In Phase II, from November 1996 to September 1998, the Program will conduct a broad-based environmental review of the three alternative solutions and will identify a final preferred solution. Phase II will also include technical analyses of the alternatives and development of an implementation plan. During Phase III, starting in late 1998 or early 1999 and lasting for many years, the preferred alternative will be implemented in stages.

As the Program seeks to resolve issues, it is important to note that our mission is to do so in a manner that serves all beneficial uses of the system. Additionally, we are guided by six solution principles that will define acceptability of a solution. These principles are that the preferred alternative should: (1) reduce conflicts in the system; (2) be equitable; (3) be affordable; (4) be durable both as to project life and adaptability to unforseen changes in future needs; (5) be implementable; and, (6) perhaps most critically, have no redirected impacts. Our intention is not to propose a solution that solves problems for some at the expense of others, but to provide improvement for all beneficial uses.

As I mentioned, the Program is addressing four major areas of concern: ecosystem restoration; water supply and water supply reliability; water quality; and, levee stability. We have developed three comprehensive solution alternatives, which include multiple actions focused on these problems, to carry forward through the environmental impact analysis. First, I will touch on the common aspects of all three alternatives, then briefly describe the distinguishing features of each.

Alternatives Under Review

Each of the three alternatives include implementation of what we call the "common programs" for each area of concern. These common programs are virtually identical in every alternative based on the understanding that significant baseline improvements must be made in all four areas. They are:

The Water Use Efficiency Common Program takes two approaches: make more efficient use of water

exported from the Delta, and reclaim water after use. It encourages urban water agencies to recycle water and to make greater use of previously developed Best Management Practices, which are commonly-accepted standards for water conservation. Similarly, it urges agricultural water users to implement cost-effective measures such as the Efficient Water Management Practices, which are standards for conserving agricultural water.

The Ecosystem Restoration Common Program seeks to restore Bay-Delta ecosystem functions by taking advantage of natural processes and restoring some of the system's natural resilience to stressors like drought. The common program gives preference to activities that benefit several species and improve other resource areas, including water quality, levee stability, and water supply reliability. Activities could include improving shallow water and riparian habitats, restoring riparian and San Joaquin River habitats, acquiring water to boost instream flows, and controlling non-native species.

The Water Quality Common Program focuses on limiting the release of pollutants, particularly salinity, selenium, pesticide residues, and heavy metals, into the Bay-Delta system and its tributaries. Activities could include improving the management of urban stormwater runoff, cleaning up mine sites and limiting toxic drainage from them, providing incentives for urban water agencies to upgrade their filtration systems, managing agricultural drainage, developing watershed protection programs, and offering incentives to retire agricultural lands whose discharge most degrades San Joaquin River water quality.

The Levee System Integrity Common Program addresses levee maintenance and stabilization, subsidence reduction, emergency management, beneficial reuse of dredged materials, and creation of habitat corridors as mitigation for negative impacts. Delta islands would be prioritized for work, a strategic plan devised, and stable funding sources identified with the goal of bringing as many levees as possible up to a higher standard of stability.

In brief, the three alternatives under environmental review are distinguishable by their conveyance components and are: (1) continuing with essentially the current storage and conveyance system and complete reliance upon the common programs to achieve the project purposes; (2) a significantly modified through-Delta conveyance system that would reconfigure many of the sloughs and channels; and, (3) a dual conveyance option would add an isolated facility to the modified through-Delta alternative. In all cases, we will analyze ranges of appropriate storage options north of the Delta, south of the Delta and, perhaps, in the Delta. In addition to appropriate surface storage options (which could include upstream of the Delta -- supplied by the Sacramento or San Joaquin Rivers or their tributaries, south of the Delta -- supplied with water exported from the Delta, or in the Delta), groundwater storage and conjunctive use projects will be part of our Program, and we are working with local communities to gauge interest and to ensure local concerns are being satisfactorily addressed.

While we have winnowed down to three alternative types, we began with hundreds, reduced that to 20 and then 10 before arriving at the three we have now. That process of developing and reducing the number of alternatives took approximately eighteen months. It was a process that was carried out with a high level of agency and public input.

Public Input

In addition to numerous public workshops and public meetings, we are fortunate to have the Bay-Delta Advisory Council (BDAC), a chartered Federal advisory committee, contribute to our effort. BDAC meets monthly or bimonthly to provide advice, comment and recommendations for improvement. In addition,

BDAC has created fact finding Work Groups that are forums for in-depth discussion on policy questions that impact the Program, including: how will success of an ecosystem restoration program be defined?, how can water use efficiency be maximized in a realistic manner?, what assurances are needed to ensure that the program is implemented tomorrow as it's designed today?, and, what sort of financing arrangements make sense?

BDAC, its work groups, and our public workshops all provide avenues for public participation, and are a continual check for us to judge how we are doing in meeting the needs of all Californians.

The incredible cooperation among and between State and Federal agencies, as well as the comfort level and trust that the stakeholder community has for our Program, has led to an additional role for our Program in addition to development of the long-term comprehensive solution. That role is to act as a coordinating point for ecosystem restoration activities throughout the Bay-Delta system.

Because there were, and are, ongoing restoration efforts in the system, there was a need to coordinate activities and ensure consistency with the long-term strategy CALFED was developing. The CALFED Ecosystem Restoration Coordination Program is developing a planning and project selection process to begin early implementation for ecosystem restoration activities using existing programs and commitments. This process focuses primarily on Category III funding decisions for 1997 and 1998 and coordination with CVPIA, but also begins to integrate restoration efforts of other closely related restoration programs. (Category III projects are projects that do not cost water to implement that the stakeholders agreed to help fund as part of the 1994 Bay-Delta Accord.) Potential near-term projects include fish screens and ladders, riparian habitat restoration, wetlands development, ecosystem restorative watershed management actions, and other Bay-Delta ecosystem restoration actions.

To provide a broad range of representative interests to this process, the Ecosystem Roundtable was established as a sub-committee of BDAC. The Roundtable is charged with developing criteria and recommending approval of "early implementation" projects. These are projects that are consistent with the long-term plan the CALFED Bay-Delta Program is developing, and for which there is broad support across constituencies.

The Roundtable will make recommendations on funding projects to BDAC and through BDAC to CALFED. Final decisions will be made by the California Secretary for Resources and the Secretary of the Interior.

As with the long-term Program, monitoring and evaluation of success of these early implementation efforts will be a major focus for us. We expect that over time, assessments and data will indicate that we will need to adaptively manage the system, (i.e., adjust specific projects or actions), both on a macro-scale, for example, water project operations, and on a more micro-scale, for example, a specific habitat enhancement project. The monitoring methodology will be developed on a project by project basis, but will probably include sampling, site inspections, and other data collection and trend analysis.

As I stated at the outset, the Program has made incredible progress in a relatively short amount of time. I attribute that success to a number of factors. First and foremost we have a staff of dedicated professionals, detailed from both State and Federal agencies, that are literally transforming how government works. Second, the agencies themselves have committed to an unprecedented level of cooperation, and understanding what is at stake, have made the Program a high priority. Third, the intense involvement of the stakeholder community. The water community has come together to seek a satisfactory outcome. Working through BDAC and our workshops and work groups, the technical expertise and policy advice we receive

from the stakeholder community is invaluable and indicative of the importance they place on our Program's success. Finally, the public's support for resolving California's water problems, as evidenced by the passage of Proposition 204, further illustrates the imperative we are all working under.

The CALFED Bay-Delta Program faces the challenge and opportunity of a new approach in the methods of dealing with resource issues. The challenge of cooperatively devising and implementing a solution, while moving away from regulation and litigation provides a model which minimizes conflict and maximizes public and private support. I expect the Program to meet this challenge resulting in a reliable water supply and healthy environment. Future generations will bear the burdens or reap the benefits depending upon how we proceed with these problems today.

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